

# **PROGRAM CHECKLIST**

## **Policy and Procedures Manual**

This checklist provides an easy check and balance to determine if your PPM addresses all the areas required in the rules. Your manual should have a policy on each area indicated. The checklist also contains citations related to the specific rule associated with the item in the list.

### **ADMINISTRATION**

#### **Section 19 Eligibility and Non-discrimination**

- Description of the criteria for the acceptance into the court program [19(a)]  
(above could be in PPM or written on separate form)
- Addresses nondiscrimination on the basis of race, religion, gender, ethnicity, age, and disabilities [19(b)]

### **PROGRAM MANAGEMENT**

#### **Section 27. Program Management and Oversight**

- Specific written policies for conducting day-to-day program activities that meet the following criteria: [27(c)]
  - Organizational chart
  - Describes the staff functions
  - Describes procedures by which the principles and guidelines for program operations
  - PPM is updated as needed, but at least every two years
  - PPM is available to the governing body and staff

#### **Section 30. Professional Requirements**

- Description of staff qualifications [30(a)]
- Program must require staff to meet the following, may be in above policy: [30(b)]
  - If hired after January 1, 2005—must get CSAMS if director, assessor or case manager
  - Achieve CSAMS within one year
  - To maintain professional status or CSAMS must have continuing education documented
  - If hired after July 1, 2004 attend Staff orientation within one year
  - Hired before January 1, 2005, have professional status under previous rule if assessor
  - Documentation of continuing education hours

#### **Section 31. Substance Abuse Education Standards**

- Description of: [31(a)]
  - the different substance abuse education courses the program provides to clients
  - the procedure for determining placement of a client into a course

#### **Section 32. Contractors**

**Applies to a contract-based program that is operated by an addiction treatment services provider. Need a policy stating:** [32(c)]

- A judge ordering a defendant to participate in the program informs the defendant of the following:
  - The court program is operated by an addiction treatment services provider who provides the court program services and also provides treatment at an additional cost.
  - If treatment is recommended, the defendant will be provided with a list of acceptable treatment providers and the defendant has a right to select any provider on that list without coercion or fear of retaliation.
  - The defendant has the right to a reasonable period of time of at least seventy-two (72) hours to gather information about the various treatment providers on the list before deciding which provider to select.
  - The defendant has a right and an obligation to report to the court or to the Indiana Judicial Center any pressure to select the contract program's agency as the defendant's treatment provider.

- Any treatment options that may be available for free or at a reduced cost for indigents or any funding options that may be available to pay for or offset the cost of treatment for indigents.
- The program director of a contract based court alcohol and drug program that provides treatment to any of its court-ordered clients must do the following:
  - For each court-ordered client who is referred to treatment, provide a list of acceptable treatment providers located within the county and surrounding counties.
  - Give the client a reasonable period of time of at least seventy-two (72) hours to consider which treatment provider to select before requiring the client to report the client's choice back to the program.
  - Assure the client in writing that in monitoring the client's compliance the client will gain no favor by selecting the agency with the court contract and the client will not lose favor by selecting another agency.
  - Permit a court ordered client to propose a treatment provider not represented on the list provided the client proposed provider meets the minimum standards required by the Indiana Judicial Center and the Division of Mental Health and Addictions, and is able to provide the required treatment.
  - Report every six (6) months to the supervising judge how many clients were referred to the program, and of those referred to the program how many were referred to treatment, and how many were ultimately referred to each different treatment provider on the list, including how many resulted in self referrals for the program and how much revenue was generated by those self referrals.
  - File a disclosure in compliance with IC 35-44-1-3(d).

## **CLINICAL STANDARDS**

### **Section 20. Client's Rights**

- All clients are informed of their rights during the orientation process [20(a)]
- A program must have a procedure for the review, determination, and amelioration of alleged violations of a client's rights. The procedure must be established by policy in accordance with the following: [20(c)]
  - (1) Alleged violations of a client's rights are investigated through the use of an established grievance procedure.
  - (2) The results of the investigation are:
    - (A) entered in the client's record; and
    - (B) if substantiated, entered into the personnel file of the staff member(s) involved.

### **Section 21. Client Intake and Orientation**

- A program must have and observe written policies and procedures for client intake and orientation that inform the client in writing of: [21(a)]
  - the rules governing the client's conduct and behavior that could result in disciplinary action or discharge;
  - the hours during which services are provided;
  - the financial arrangements including services to be provided, the rate for the services, a reasonable projection of the time for which services will be provided and the conditions of payment; and
  - the program's grievance procedures, including the procedure for the review, determination, and amelioration of alleged violations of a client's rights, discussed in Section 20(c).
- The program must document compliance with subsection (a) in the client's record [21(b)]
  -

### **Section 22. Client Assessments**

- A program must have written policies and procedures for scheduling and conducting client substance abuse assessments that require that: [22(a)]
  - Assessment staff must use a form that contains all the information described in
  - subsection (b). The completed form must be maintained in the client's record.
  - The assessment must result in a referral that is supported by the evidence obtained during a personal interview with the client.
  - Portions of the form may be completed by the client at the discretion of the program director.

- The procedure specifies the period of time, not to exceed six (6) weeks, that may pass between the date the judge orders the person to participate in the program and the date the program conducts the assessment.
- The procedure specifies the length of time that the program regularly sets aside for a client assessment appointment.

### **Section 23. Client Privacy**

- Specifies how client privacy is maintained with regard to visitors and other non-program personnel. [23(2)]

### **Section 24. Confidentiality of Client Records**

[24(a)]

- A program must have written policies and procedures conforming to applicable state and federal laws that ensure the confidentiality and security of client records. The policies and procedures shall at a minimum:
  - comply with all federal and state laws, including federal rules pertaining to the confidentiality of alcohol and drug abuse patient records (42 CFR Part 2);
  - address any conflicts between federal and state law;
  - address disclosure of information with regard to minor clients and incompetent or deceased clients;
  - address disclosure of information to the following:
    - client's family or other contact person designated by the client;
    - third party payers;
    - legal counsel;
    - employers;
    - judicial officer;
    - probation department;
    - prosecutor;
    - addiction treatment services provider; and
    - community corrections;
  - address disclosure without client consent including but not limited to the following:
    - medical emergencies;
    - research, audit, and evaluation;
    - legal orders and subpoenas; and
    - investigation and prosecution of clients for alleged violations, including child abuse and neglect;
  - address the use of a valid written consent for disclosure of client information and forms used for making disclosure;
  - address storage and disposal of case records in compliance with Indiana Supreme Court Administrative Rule 7;
  - identify the person(s) responsible for authorizing disclosure of confidential information;
  - require documentation in the client record to support all information disclosed; and
  - address a client's request to review the client's case record. A client's review of the client's case record shall be recorded in the case record. Any denial of a client's request to review the case record shall be recorded in the case record, together with the reasons for denial of the review. By policy the supervising judge may permit the withholding from the client all or part of the client's record, including if:
    - withholding is necessary to protect the confidentiality of other sources of information;
    - it is determined that the information requested may result in harm to the physical or mental health of the client or another person;
    - the consent was not given freely, voluntarily, and without coercion; or
    - granting the request will cause substantial harm to the relationship between the client and the program or to the program's capacity to provide services in general.

### **Section 25 Case Management**

- Recording client progress in the record of the client [25(a)]
- Policy for: [25(d)]
  - Terminating a client's court imposed obligation to participate in the court-administered alcohol and drug services program; and
  - Documenting that the client has:
    - Successfully complied with the individual service contract; or
    - Violated any requirement of the individual service contract

## **FACILITES**

### **Section 26. Facilities**

- Explains how program complies with confidentiality. In order to ensure confidentiality, the program's facilities, including waiting rooms, offices, and group areas must be arranged in a way that minimizes disclosure to the general public of the person's status as a client of the alcohol and drug services program. [26(d)]
- Governs access to and use of these written records and conforms to federal regulations. The facilities must provide adequate space for storage of client records and permit client records to be properly secured under 42 CFR Part 2, Section 2.16 [26(e)]

## **FISCAL MANAGEMENT**

### **Section 28. Fiscal Management**

- Addresses fiscal management section, including accounting system, current budget, schedule of fees, education services under cap and fees tied to cause number, transfers, cash handling controls to prevent theft of funds, and fees are used to fund program services [28(h)]

## **PERSONNEL MANAGEMENT**

### **Section 29. Personnel Management**

- Policy contains at a minimum: [29(a)]
  - Employment procedures.
  - Program rules for professional conduct.
  - A requirement that staff members adhere to the code of judicial conduct and to a code of clinical ethics that is recognized by the Indiana Judicial Center.
  - Wages and benefits.